**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

ANTHONY WILLIAMS,	)	
	)	
Plaintiff,	)	
	)	
v.	)	C.A. 04-12
	)	
	)	Judge Lancaster
L.T. FORTE, et al.,	)	Magistrate Judge Caiazza
	)	
Defendants.	)	

MEMORANDUM AND ORDER

This is a civil rights suit filed by a prisoner in state custody.

The case has been filed but no decision has been made with respect to the Plaintiff's Motion for Leave to Proceed In Forma Pauperis.

Title 28 of the United States Code, Section 1915, entitled "Proceedings in forma pauperis" was amended by Section 804 of P.L. 104-134, Amendments to Civil Rights of Institutionalized Persons Act, on April 26, 1996. Pursuant to Section 804(a)(F)(1), 28 U.S.C. §1915(a)(2) now provides:

> A prisoner seeking to bring a civil action
> . . . without prepayment of fees or security
> therefor, . . . shall submit a certified copy
> of the trust fund account statement (or
> institutional equivalent) for the prisoner
> for the 6-month period immediately preceding
> the filing of the complaint . . . , obtained
> from the appropriate official of each prison
> at which the prisoner is or was confined.

The motion for leave to proceed in forma pauperis in this case does not contain an institutional account statement, as now it must.

Therefore, this 14th day of September, 2005;

IT IS ORDERED that the Plaintiff shall, on or before **September 29, 2005,** submit to the court a certified copy of his institutional account statement from every jail or prison at which he was confined, showing the status of that account or accounts from **March 1, 2005,** through the date the account statement is submitted.

IT IS FURTHER ORDERED that the parties are allowed ten (10) days from this date to appeal this order to a district judge pursuant to Local Rule 72.1.3 B. Failure to appeal within ten (10) days may constitute waiver of the right to appeal.

September 14, 2005

s/Francis X. Caiazza
Francis X. Caiazza
U.S. Magistrate Judge

cc:
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